

17169 U.S. PTO
032504

Practitioner's Docket No. 885_001

PATENT

NEW APPLICATION TRANSMITTAL

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on *March 25, 2004* under "EXPRESS MAIL" mailing label number EL 994436233 US.

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2390 U.S. PTO
10/809258

032504

Transmitted herewith for filing is the patent application of:

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Inventor 2: Dierk TILLE
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Germany

TITLE: DEVICE FOR MEASURING PATHS AND/OR POSITIONS

1. Type of Application

This is a request for filing a **CONTINUATION APPLICATION** under 37 C.F.R. §1.53(b), of pending prior application International Application No. **PCT/DE02/03653**, having an international filing date of **September 26, 2002**, entitled **Device for Measuring Paths And/Or Positions**, which designated the United States.

2. Papers Enclosed

A. Required for filing date under 37 CFR 1.53(b) (Regular) are:

- 11 Page(s) of Specification
- 3 Page(s) of Claims
- 1 Page(s) of Abstract
- 4 Sheets of Formal Drawings (Figs. 1-4)

B. Other Papers Enclosed

- ☒ A Patent Application Bibliographic Data Sheet
☒ A Declaration and Power of Attorney (English/Japanese Language Declaration)
☐ A Preliminary Amendment
☒ Information Disclosure Statement
☒ Form PTO-1449
☒ An Assignment Transmittal and Assignment of the invention to:

Marquardt GmbH
 Schlossstrasse 16
 D-78604 Rietheim-Weilheim
 Germany

- ☒ PCT/IB/304 ☒ PCT/IB/308
☒ International Publication (front page only)

3. The correspondence address for this application is: Customer No. 025191

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Electronic Mail: lvanantwerp@burrandbrown.com

4. Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)

- ☐ Applicants hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

☐ Applicants hereby request that the attached application **not** be published under 35 U.S.C. 122(b).

5. Relate Back**A. 35 U.S.C. 119(e)**

- ☐ Priority of provisional application Serial No. _____ filed _____, is hereby claimed under 35 U.S.C. §119(e).

B. 35 U.S.C. 120, 121 and 365(c)

- ☒ Priority of said prior application(s) is hereby claimed under 35 U.S.C. §120.

<u>Application Number</u>	<u>Filing Date</u>	<u>Relationship</u>
PCT/DE02/03653	September 26, 2002	Parent

5. Relate Back (Cont'd.)

C. 35 U.S.C. 119 Priority Claim for Prior Application

☒ Priority of foreign application(s) is hereby claimed under 35 U.S.C. §119 as follows:

<u>Country</u>	<u>Application Number</u>	<u>Filing Date</u>
Germany	101 47 849.6	September 27, 2001

☒ A certified copy of the above corresponding foreign application will follow under separate cover.

6. The filing fee has been calculated as shown below:

Basic Filing fee (37 CFR §1.16(a))				\$ 770.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	9 - 20 =	0	× \$ 18.00	
Independent Claims	1 - 3 =	0	× \$ 86.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 770.00
[] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				
SUBTOTAL =				\$ 770.00
[] Fee for processing an application filed with a specification in a non-English language (37 C.F.R. 1.17(i) and 1.52(d))--\$130.00				
<input checked="" type="checkbox"/> Assignment Fee (37 CFR §1.21(h))--\$40.00				\$ 40.00
TOTAL FEES DUE =				\$ 810.00

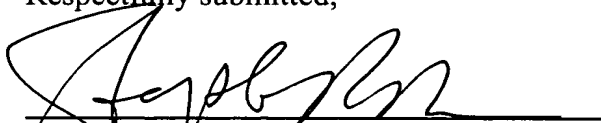
**7. Payment of Fees and Authorization to Charge Additional Fees
or Credit Overpayment**

- ☒ A check in the amount of \$810.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

March 25, 2004

Date


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SPB/eav

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